



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

February 23, 2005

RECEIVED
FEB 23 2005

SUBJECT: PRELIMINARY ENGINEERING

ICC Order T00-0107

078493H

Old U.S. 36 over and across, BNSF
E. of Jacksonville, Morgan County

Illinois Commerce Commission
RAIL SAFETY SECTION

Mr. Dave Lazerides
Director of Processing and Information
Transportation Division
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Dear Mr. Lazerides:

We have contacted our district office and they advised us the project was completed on November 6, 2001.

Very truly yours,

A handwritten signature in cursive script, reading 'Cheryl Cathey'.

Cheryl Cathey, P.E.
Chief of Preliminary Engineering

DOCKETED

FEB 17 2005

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Circ. ☐ Discuss ☐ Handle ☐
info & File ☐ Prepare Reply ☐

NOTICE

TO: Mr. Jim Morris
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

DATE MAILED: February 16, 2005

DOCKET NO.: T00-0054 and T00-0107

DATE ORDER ENTERED: See attached orders

RAILROAD: CSX and BNSF

TYPE OF REPORT DUE: **Letters providing the date of completion for the grade separations**

REPORT DUE BY: See attached orders

CROSSING NO.: 546577V and 078493H

LOCATION: See attached orders

WORK REQUIRED TO BE COMPLETED: Reconstruct grade separation

Please submit required report to:
Director of Processing and Information
Transportation Division
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

078493 H
need
letter

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

State of Illinois, Department of
Transportation

-vs-

T00-0107

The Burlington Northern and Santa Fe
Railway Company

Petition for permission to construct a
new grade separation structure to carry
FAP Route 753 Spur (Old U.S. 36) over
the single mainline track and single
unused track of the Burlington Northern
and Santa Fe Railway Company east of
the City of Jacksonville, Morgan County.:

ORDER

By the Commission:

On November 17, 2000, the Illinois Department of Transportation ("Petitioner") filed the above captioned petition with the Illinois Commerce Commission ("Commission") naming The Burlington Northern and Santa Fe Railway Company ("Respondent") as Respondent.

Petitioner proposes to construct a new grade separation structure to carry FAP Route 753 Spur (Old U.S. 36) over the single mainline track and single unused track of Respondent east of Jacksonville, Morgan County, Illinois. The project is necessary to preserve and promote the safety of the public and for public convenience and necessity.

Petitioner has entered into an agreement with Respondent providing for the construction, maintenance and division of expenses for the proposed project and for future maintenance of the structure upon completion of said project. A copy of the agreement was attached to and made a part of the petition filed herein.

The Commission, after reviewing the entire record, finds that:

- (1) the Commission has jurisdiction of the subject matter and the parties;
- (2) the recitals of fact set forth in the prefatory portion of this order are supported by the record and are hereby adopted as findings of fact;
- (3) the work proposed is necessary to preserve the safety of the public and for public convenience and necessity;
- (4) the executed agreement between the parties hereto governing the work proposed is fair and reasonable and should be approved insofar as the matters therein are within the control and jurisdiction of the Commission, the cost of construction work should be borne as specified in the agreement and a hearing in this matter is not required.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that permission and authority be, and they are hereby, granted to the Illinois Department of Transportation to construct a new grade separation structure to carry FAP Route 753 Spur (Old U.S. 36) over the single mainline track and single unused track of The Burlington Northern and Santa Fe Railway Company east of Jacksonville, Morgan County, Illinois, as set forth in the agreement between the parties hereto and made a part of the petition filed herein.

IT IS FURTHER ORDERED that the agreement referred to in the First Ordering Paragraph hereof be, and it is hereby, approved insofar as the matters contained therein are within the control and jurisdiction of the Commission.

IT IS FURTHER ORDERED that Petitioner shall, at six month intervals from the date of this order, file with the Director of Processing, Transportation Division, Illinois Commerce Commission, written progress reports for the project herein authorized.

IT IS FURTHER ORDERED that, within five (5) days after the completion of the work herein authorized, Petitioner shall provide written notice thereof to the said Director of Processing.

IT IS FURTHER ORDERED that Petitioner and Respondent shall comply with the clearance requirements of 92 Ill. Adm. Code 1500.

IT IS FURTHER ORDERED that in accordance with 625 ILCS 5/18c-2201 and 5/18c-2206 of the Illinois Commercial Transportation Law, this is a final order subject to the Administrative Review Law.

By Order of the Commission this 20th day of December, 2000.

*Richard L. Matulis*³

Chairman

EXAMINER	<i>J. J. J.</i>
SECTION CHIEF	
Supervisor of Orders	<i>J. J. J.</i>